

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

RADON SERVICE AGREEMENT CORP., :

Plaintiff, :

-vs- :

RADON SERVICE AGREEMENT INC., :  
et al. :

Defendants. :

Case No. 3:04-cv-370

Chief Magistrate Judge Michael R. Merz

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**ORDER OF DISMISSAL: TERMINATION ENTRY**

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The Court having been advised by counsel for the parties that the above matter has been settled, IT IS ORDERED that this action is hereby DISMISSED with prejudice, provided that any of the parties may, upon good cause shown within 60 days, reopen the action if settlement is not consummated.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry.

The Court will retain jurisdiction to enforce the terms of the settlement between the parties, if necessary.

February 10, 2006.

s/ **Michael R. Merz**  
Chief United States Magistrate Judge